

THIRD ASSESSMENT OF SETTLEMENT AGREEMENT
COMPLIANCE BY THE VILLE PLATTE POLICE DEPARTMENT
September 2020 – December 2021



June 22, 2022

I. SUMMARY

The United States Department of Justice (DOJ) conducted an investigation into the policies and practices of the Ville Platte Police Department (VPPD) under the authority granted by the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601. On December 19, 2016, we issued a report concluding there is reasonable cause to believe that VPPD engages in a pattern or practice of conducting arrests without probable cause for the purposes of investigating crimes, which VPPD calls “investigative holds.” We also determined that these investigative holds resulted in problematic interrogation practices. Further, we determined that systemic deficiencies contribute to these patterns or practices, including deficiencies in VPPD’s policies, training, interrogation practices, community-policing practices, supervision, data collection, and transparency. On June 4, 2018, we entered into an agreement (Agreement) with the City of Ville Platte and VPPD to remedy the deficiencies. DOJ issued two previous reports assessing VPPD’s compliance with the Agreement. This report covers the period from September 2020 through December 2021.

Since issuing our November 2020 report, we participated in biweekly meetings with members of VPPD staff, including Chief Neal Lartigue, and assisted VPPD’s efforts to develop effective Fourth Amendment trainings, a Field Training Program and a new Use of Force policy. We appreciate VPPD’s continued efforts and improvement in these areas of the Agreement and note that our review of limited documentation suggests that these efforts are yielding better, more professional policing practices. Of the body-worn camera (BWC) videos that we reviewed for the compliance period, several officers demonstrated a professionalism and legal aptitude that we had not observed in prior compliance assessments. This could be attributable to VPPD’s improved policies, training and recruiting practices. Unfortunately, as of June 2022, some of the officers observed in the videos are no longer working at VPPD. As in the past, we recommend that VPPD put renewed effort into addressing the recurring problem with officer retention.

Our review also identified some critical areas of the Agreement where VPPD did not substantially improve and has yet to attain partial compliance. For example, the lack of appropriate supervisory approval on probable cause affidavits remains a cause for concern. Jailer signatures cannot substitute for supervisor signatures on probable cause affidavits. Jailers, typically unsworn employees, do not actually supervise patrol officers and cannot directly hold officers accountable for law enforcement decisions. In addition, it appears that officers are not consistently being held accountable for failing to activate body-worn cameras when policy requires.

On May 25, 2022, VPPD provided us with a self-assessment of its compliance with the Agreement. We appreciate that VPPD was able to provide the self-assessment but note that it cannot substitute for access to the documents that we need to complete a thorough review. Although we were able to review the materials that VPPD provided during the compliance period, including select policies and procedures, training records, lesson plans, body-worn camera videos, jail lists, and arrest and search warrant materials, the limited scope of the materials would not allow for assessment in all areas of the Agreement. The documentation did not include Field Interview Cards, arrest reports, incident reports, complaint investigations and other materials that provide a more complete representation of law enforcement activity and jail operations at VPPD. As a result, the self-assessment does not cure the issue of VPPD failing to provide information sufficient for us to determine the extent to which it is fulfilling its obligations under the Agreement.

II. COMPLIANCE STATUS

This report assesses the City of Ville Platte and VPPD’s implementation efforts from September 2020 through December 2021. We use the following categories of compliance to describe the status of each provision:

Substantial Compliance	This level indicates that the City/VPPD has implemented the specific provision as required by the Settlement Agreement, and that the City/VPPD has an ongoing obligation to sustain implementation to remain in compliance.
Partial Compliance	This level indicates that the City/VPPD has made progress with implementation but specific areas need further attention to achieve substantial compliance.
Beginning Compliance	This level indicates that the City/VPPD has made initial efforts to implement the required reforms and achieve the outcome envisioned by the provision but significant work remains.
Pending/Insufficient Information	This level indicates (1) that the provision is not ready for evaluation, or (2) that DOJ has not been able to fully assess compliance due to insufficient documentation or a need for additional analysis or observation.
Non-Compliance	This level indicates that the City and VPPD have not met most or all of the requirements of the provision.

Although VPPD made notable progress since the last assessment, the persistently high number of “Non-Compliance” and “Pending/Insufficient Information” ratings remain a cause for concern. Other than three provisions moving from Beginning Compliance to Pending/Insufficient Information, VPPD did not appear to lose compliance status on any paragraph. Twenty Non-Compliance paragraphs from 2020 are now Pending/Insufficient Information, which does not necessarily indicate improvement in those areas. However, VPPD did clearly demonstrate improvement with twenty paragraphs: eight went from Non-Compliance to Beginning Compliance, eleven went from Non-Compliance to Partial Compliance, and one moved from Non-Compliance to Substantial Compliance. After almost four years of implementation, we expected to see higher numbers of Partial and Substantial Compliance ratings in this assessment. We appreciate the gains made through VPPD’s more focused efforts during this compliance period and look forward to more accelerated efforts in the near term.

Compliance Status by Year (Number of Paragraphs)			
	2019	2020	2021
Substantial Compliance	0	0	1
Partial Compliance	0	0	16
Beginning Compliance	12	9	9
Pending/Insufficient Information	46	10	31
Non-Compliance	12	51	13

Compliance Status by Settlement Agreement Paragraph	
FOURTH AMENDMENT ACTIVITY	
Public Interactions and Investigative Holds (Paragraphs 4, 5)	Beginning Compliance
Investigative Holds (Paragraph 6)	Beginning Compliance
ARRESTS AND CITATIONS	
Probable Cause Arrests (Paragraphs 7, 8)	Beginning Compliance
Obtaining Valid Arrest Warrants (Paragraph 9)	Non-Compliance
Probable Cause Affidavits (Paragraph 10)	Non-Compliance
Prisoners Released Without Probable Cause (Paragraph 11)	Pending/Insufficient Information
Communication While Incarcerated (Paragraph 12)	Pending/Insufficient Information
Quality of Life Arrests (Paragraph 13)	Beginning Compliance
INVESTIGATORY STOPS	
Reasonable Suspicion Requirements (Paragraph 14)	Beginning Compliance
Transporting Subjects (Paragraphs 15, 16)	Pending/Insufficient Information
Probable Cause Stops (Paragraph 17)	Pending/Insufficient Information
DOCUMENTATION OF FOURTH AMENDMENT ACTIVITIES	
System Development (Paragraph 18)	Pending/Insufficient Information
Documenting Stops, Citations, and Arrests (Paragraphs 19, 20)	Pending/Insufficient Information
Storing and Retaining Data Collected (Paragraph 21)	Pending/Insufficient Information
SUPERVISION REGARDING FOURTH AMENDMENT ACTIVITIES	
Report Reviews (Paragraphs 22, 23)	Non-Compliance
Addressing Policy Violations (Paragraphs 24, 25, 26)	Pending/Insufficient Information

CRIMINAL INVESTIGATIONS	
Interrogations (Paragraphs 27, 28)	Partial Compliance
<i>Miranda</i> Adherence (Paragraphs 29, 30, 31)	Partial Compliance
Documentation of Interrogations (Paragraph 32)	Beginning Compliance
Recording Interrogations (Paragraph 33)	Pending/Insufficient Information
Investigative File Creation and Maintenance (Paragraph 34)	Pending/Insufficient Information
Investigative File Identification and Tracking (Paragraph 35)	Pending/Insufficient Information
Investigative File Management (Paragraph 36)	Pending/Insufficient Information
COMMUNITY ENGAGEMENT	
Community Outreach (Paragraph 37)	Partial Compliance
JAIL OPERATIONS	
Booking (Paragraphs 38, 39)	Non-Compliance
Detainee Searches (Paragraphs 40, 41)	Pending/Insufficient Information
Inmate Files (Paragraph 42)	Pending/Insufficient Information
Inmate Lists (Paragraphs 43, 44)	Pending/Insufficient Information
Jail Supervision (Paragraphs 45, 46)	Non-Compliance
Providing Inmate Lists to Court (Paragraph 47)	Pending/Insufficient Information
Access Provisions (Paragraphs 48, 49)	Pending/Insufficient Information
POLICIES	
Settlement Agreement Requirements (Paragraphs 50, 51, 52)	Partial Compliance
Policy Manual (Paragraph 53)	Partial Compliance
Publicly Available Policies (Paragraph 54)	Partial Compliance

TRAINING	
Basic Training and Certifications (Paragraphs 55, 56, 57, 58)	Partial Compliance
Training of Lateral Hires (Paragraphs 59)	Partial Compliance
Annual In-Service Training (Paragraph 60)	Substantial Compliance
ACCOUNTABILITY AND OVERSIGHT	
Misconduct Reporting (Paragraphs 61, 62)	Pending/Insufficient Information
Body-Worn Cameras (Paragraph 63)	Non-Compliance
DATA COLLECTION AND REPORTING	
Eliminating Unlawful Practices (Paragraph 64)	Pending/Insufficient Information
Developing Data Collection System (Paragraphs 65, 66, 67, 68)	Pending/Insufficient Information
Annual Reports (Paragraphs 69, 70)	Non-Compliance
Status Reports (Paragraph 71)	Beginning Compliance
OUTCOME ASSESSMENTS	
Conducting Annual Outcome Assessments (Paragraphs 72, 73, 74)	Non-Compliance
Creating Outcome Assessments Plan and Protocol (Paragraph 75)	Non-Compliance

III. ASSESSMENT

In September 2021, we submitted a request to VPPD for specific, limited materials documenting its law enforcement activity during the compliance period. Those materials included documentation for stops, searches, arrests, citations, warrants, internal investigations, and jail logs, among other items. We requested these materials to fulfill our obligation to assess VPPD’s compliance with the Agreement. In response to our request, VPPD indicated that staffing shortages and the COVID pandemic would inhibit VPPD’s ability to gather the responsive materials. We offered to collect relevant materials remotely if we were granted limited, read-only access to VPPD’s electronic records management system (RMS). VPPD agreed to this arrangement and immediately connected us with its RMS manager and technology consultants to establish access. We, along with our technology expert, participated in multiple conversations with VPPD’s RMS manager and technology consultants in an effort to establish our connection to the RMS. We completed preparations for access on the DOJ side and were ready to establish access once VPPD was prepared. In the months that followed, we repeatedly inquired about the status of the RMS connection on VPPD’s side and on multiple occasions were told that it should be finalized “next week.” Despite VPPD’s representations, the connection was never finalized and most of the documents that we requested were never produced.

Recently, VPPD indicated that it will soon stop using the existing RMS, essentially mooting the preparatory steps that DOJ and VPPD took to establish access to the current RMS system. Instead, VPPD told us it is planning to purchase a new RMS system through vendor eFORCE Software. As noted in our September 2019 compliance assessment, this is not VPPD’s first attempt at obtaining a new electronic RMS system, specifically eFORCE Software. By the time we issued our November 2020 compliance assessment, VPPD had abandoned its initial effort to obtain the new software. VPPD has not provided a timeline for when eFORCE will be operational in 2022.

In the pages that follow, we detail our assessment of VPPD’s compliance with each Agreement paragraph through a series of tables that identify the: (1) current assessment status for each numbered paragraph; (2) prior assessment status; (3) reason for current assessment status; and (4) next steps for compliance.

II. FOURTH AMENDMENT ACTIVITY

4. The City will ensure that VPPD officers conduct all interactions with the public consistent with the requirements of the Fourth Amendment of the Constitution of the United States.
5. The City will ensure that VPPD officers do not rely on information known at the time of reliance to be materially false or incorrect to justify an investigatory stop, search, interrogation, citation, or arrest.
6. VPPD will explicitly prohibit the practice of “investigative holds,” and will make clear in policy and training that investigative holds without probable cause violate the Constitution and will subject officers to discipline, including possible termination.

Status (4,5,6)	Beginning Compliance
2020 Status	Non-Compliance
Assessment	Since the last compliance report, the City retained a consultant to develop and deliver trainings on all of VPPD’s policies related to Fourth Amendment activity. DOJ

	<p>audited the initial trainings that the consultant developed. Those trainings addressed the requirements of Paragraphs 4, 5, and 6 and VPPD’s related policies.</p> <p>VPPD must still develop additional policies related to Fourth Amendment activities covered by the Agreement, such as strip searches. VPPD must also provide access to the documentation that we requested to assess compliance with the Agreement, including additional documentation related to stops, searches, arrests, citations, warrants, and internal investigations.</p>
Next Steps	<p>VPPD will continue to ensure that all officers receive in-service trainings on VPPD’s Fourth Amendment policies. During the next reporting period, VPPD should submit additional documentation showing that all officers have received the training. DOJ will continue to audit documentation of patrol officer and supervisor activities to assess compliance with these Agreement provisions.</p>

A. Arrests and Citations

7. The City will ensure that all arrests made by VPPD officers, including detentions that rise to the level of de facto arrests, are supported by probable cause that a person has committed or is committing a crime based on reliable facts and evidence known to the officer at the time of the arrest. VPPD’s need or desire to question a person about a crime will not be considered in determining whether probable cause exists for the arrest of that person.
8. Officers will not arrest persons for the sole purpose of questioning the person regarding criminal activity of another person, or because of personal animus.

Status (7,8)	Beginning Compliance
2020 Status	Non-Compliance
Assessment	<p>We reviewed a sample of probable cause affidavits and arrest warrants spanning several months during the compliance period. We also reviewed three weeks of BWC videos, some of which related to the arrest affidavits we reviewed.</p> <p>Our review suggests that VPPD officers are performing better overall as a result of improved policies and training. We observed notable improvement in the articulation of factual details to establish probable cause on affidavits. We also observed in BWC video officers being more conscientious of Fourth Amendment requirements.</p> <p>However, we also noticed that BWCs are not capturing some activity that would be expected to appear on video based on documentation in the probable cause affidavits. This may indicate that some officers are not activating their BWCs consistently. For example, of the 214 videos that we reviewed covering approximately 150 officer-community member interactions, only one video involved an officer-initiated traffic stop.</p> <p>Given the limitations of the documentation that we received, we still have the concerns raised in our last report about whether officers are consistently making stops, pat-downs, searches and arrests based on legally sufficient factual bases. VPPD must provide the materials we requested so that we can make that assessment.</p>

Next Steps	We will continue to audit documentation of law enforcement activity to assess compliance with these Agreement provisions.
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9. The City will ensure that officers obtain a valid arrest warrant signed by a judge prior to making an arrest, unless an offense was committed in the officer’s presence, or the officer has positive and reliable information establishing probable cause that an offense was committed outside the officer’s presence.
 - a. If the arrest takes place inside a person’s home, the City will ensure that officers obtain a valid arrest warrant signed by a judge prior to making the arrest, unless exigent circumstances exist.
 - b. Individuals may be arrested as material witnesses only pursuant to a valid court order for their arrest.
 - c. If a warrantless arrest is made, VPPD will ensure that the arresting officer fills out an affidavit of probable cause as soon as reasonably possible after the arrest, and in no case later than six (6) hours after the arrest or at the conclusion of the officer’s shift, whichever is earlier.
 - d. Once an affidavit of probable cause has been filled out, VPPD will ensure that it is immediately reviewed by a supervisor.
 - e. If a warrantless arrest is made, VPPD will ensure that the arresting officer also completes an arrest report that describes, in non-boilerplate language, the facts and circumstances leading up to and justifying the arrest.
 - f. Once approved by a supervisor, VPPD will ensure that the affidavit is immediately transmitted to a judge or magistrate for review. The transmission may be either physical or electronic.

Status (9)	Non-Compliance
2020 Status	Non-Compliance
Assessment	<p>As noted above, VPPD’s failure to provide documentation hampered our ability to assess this provision. We were unable to determine whether officers are obtaining arrest warrants in situations where an arrest warrant is required; whether arresting officers fill out timely affidavits of probable cause; and whether arrest reports appropriately describe the facts and circumstances justifying arrests.</p> <p>The probable cause affidavits that we reviewed suggest that supervisors are not providing appropriate approvals. A “supervisor” should be a sworn officer who is responsible for actually supervising a subordinate officer and is capable of reviewing reports for legal sufficiency. A jailer is not a patrol officer supervisor, yet VPPD allows jailers to sign affidavits in the space designated for supervisor signature on probable cause affidavits.</p>
Next Steps	VPPD must adopt a policy or issue an order that only sworn members of the department may sign probable cause affidavits. VPPD will continue to train officers on proper implementation of new policies and finalize new documentation systems consistent with those policies. During the next reporting period, we will audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

10. VPPD will not book any person who was arrested without a warrant into the jail unless the affidavit of probable cause is filled out and approved by a supervisor.

Status (10)	Non-Compliance
2020 Status	Non-Compliance
Assessment	There has been improvement in how the affidavit narratives are written. Officers appear to be doing a much better job articulating the factual basis for an arrest or warrant application. Nevertheless, VPPD remains out of compliance for this provision because, as noted above, jailers are not sworn supervisors and cannot sign probable cause affidavits.
Next Steps	VPPD must adopt a policy or issue an order that only sworn officers may sign probable cause affidavits. VPPD will continue to train officers on proper implementation of new policies and finalize new documentation systems consistent with those policies. During the next reporting period, we will audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

11. VPPD will immediately and unconditionally release any person who is held at the jail or in VPPD’s holding cell(s) if the judge or magistrate rejects the VPPD officer’s affidavit of probable cause in support of that person’s arrest, unless the court authorizes continued detention pending a timely submission of an affidavit supporting probable cause.

Status (11)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	The information we reviewed did not reveal instances in which VPPD kept people in custody after a judge rejected an affidavit. However, deficiencies in VPPD’s documentation prevented us from determining whether VPPD is consistently complying with this provision. In our November 2020 report, we noted that VPPD must improve its documentation systems and communication practices with the courts to ensure accurate tracking of affidavit rejections and release times. We await documentation to determine whether VPPD has addressed this issue since our last report.
Next Steps	VPPD should improve communication with the courts to ensure that people are released in a timely manner. During the next reporting period, we will audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

12. VPPD will ensure that all arrested persons are allowed to use a telephone or send a messenger for the purposes of communicating with friends or with counsel, as soon as reasonably possible.

Status (12)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	VPPD reports that once a subject has been brought into the jail and booked they are allowed to use the phone until they are able to contact a family member. We await documentation to verify whether VPPD is complying with this provision.
Next Steps	VPPD will need to provide additional documentation to show that arrested persons are allowed to use the phone or send a messenger.

13. Officers will not arrest a person in lieu of issuing the person a citation for a quality of life offense for the purpose of subjecting the person to questioning or interrogation. VPPD will require officers to obtain supervisory approval, where reasonably practical, prior to making a custodial arrest for a quality of life offense. If an officer cannot obtain supervisory approval prior to making an arrest for a quality of life offense, he or she will obtain supervisory approval as soon as possible after the arrest and will explain why the officer could not obtain prior approval.

Status (13)	Beginning Compliance
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that policy and training (Understanding Arrests) require officers to obtain supervisory approval when making any arrest not preceded by a warrant.</p> <p>VPPD has not provided documentation establishing that officers are not arresting people in lieu of issuing the person a citation for a quality of life offense for the purpose of subjecting the person to questioning or interrogation. VPPD also has not established that officers are obtaining the requisite supervisory approval prior to the arrest or are explaining why they could not obtain prior supervisory approval. However, based on the BWC video and affidavits we reviewed, it does appear that officers have substantially reduced arrests for quality of life offenses.</p>
Next Steps	<p>VPPD must provide documentation establishing that supervisors are reviewing all quality of life arrests and ensuring that officers are obtaining prior supervisor approval. VPPD must also provide documentation of officers’ explanations of failures to seek prior supervisor approval. VPPD must also develop a tracking mechanism to determine compliance with this provision.</p>

B. Investigatory Stops

14. VPPD will ensure that officers do not conduct investigatory stops unless they possess reasonable suspicion, based on specific and articulable facts, that a person has committed, is committing, or is about to commit a crime. VPPD will prohibit officers from relying on gossip, rumors, or hunches to justify an investigatory stop. VPPD’s need or desire to question a person about a crime will not be considered in determining whether reasonable suspicion exists for the investigatory stop of that person.

Status (14)	Beginning Compliance
2020 Status	Non-Compliance
Assessment	<p>VPPD developed policies and delivered training on “Voluntary Contacts, Field Interviews, Investigative Stops and Weapons Pat Downs” and “Understanding Arrests.” The trainings instruct officers on principles of the Fourth Amendment and procedural justice, as well as disciplinary possibilities if they are found to be in violation of training and policy.</p> <p>We observed notable improvement in the articulation of factual details to establish probable cause on affidavits and observed officers being more conscientious of Fourth Amendment requirements in BWC video. We need to review more documentation to determine whether VPPD is in further compliance with this provision.</p>

	As noted above, our review of BWC video suggests that officers are not consistently activating their BWCs, especially when it comes to investigative stops.
Next Steps	VPPD must provide documentation to show that officers are only conducting investigative stops based on reasonable articulable suspicion.

15. Officers will not transport the subject of an investigatory stop to a different location for questioning or any other investigatory purpose unless the officer has probable cause to make an arrest or the stopped person requests to speak with officers in a different location. Where such a request is made, officers will document the request in writing and ask the person to sign the documentation verifying that the request was made.
16. Officers will not transport a person to jail or otherwise incarcerate a person as part of an investigatory stop unless there is probable cause that the person has committed a crime.

Status (15,16)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	VPPD reports that officers are required by policy to have supervisory approval prior to transporting anyone for any reason and that supervisors are trained to know the policy requirements of transporting subjects in any VPPD vehicle. VPPD has not provided documentation, including arrest reports, incident reports, Field Interview Cards or dispatch data, to support compliance with this provision.
Next Steps	VPPD must provide documentation establishing that officers are only transporting individuals based on probable cause or based upon the person’s documented request for transport.

17. Officers will not stop a vehicle unless there is probable cause that the driver has committed a traffic violation, or reasonable suspicion based on specific and articulable facts that he vehicle or an occupant of the vehicle has been, is, or is about to be engaged in the commission of a crime.

Status (17)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	VPPD needs to fully implement the new policies and develop a system for accurately documenting investigative stops. VPPD reports that officers have received policy and training in classes entitled “Vehicle Stops,” “Contacts, Interviews and Investigative Stops” as well as “Fair and Impartial Policing” on correct procedures on how to properly conduct traffic stops. As noted above, our BWC review of approximately 150 officer-community member interactions over three separate weeks in 2021 revealed only one recording of an officer-initiated a traffic stop. VPPD needs to provide additional documentation of traffic stops and/or confirm that the lack of BWC videos is because officers are not engaging in traffic stops on a regular basis.
Next Steps	VPPD must provide documentation establishing that officers are only making vehicle stops based on probable cause that the driver committed a traffic violation or

	reasonable suspicion that the vehicle occupant has been, is, or is about to engage in criminal activity.
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C. Documentation of Fourth Amendment Activities

- 18. VPPD will develop systems to ensure that all stops citations, arrests, and field interviews are properly documented and that the documentation for each type of activity includes all pertinent information, including the information required in the Data Collection section of this Agreement. VPPD will require officers to document the justification for the particular activity under the relevant legal standard for that activity, where applicable, and specific, individualized descriptions of the facts and circumstances in support of that justification.
- 19. VPPD will require officers to use specific, individually tailored descriptions of facts in their documentation of all stops, citations, and arrests.
- 20. VPPD officers will complete their documentation of their activities by the end of the officer’s shift in which the activity occurred.
- 21. VPPD will develop systems for the storage and retention of this documentation, consistent with the Data Collection paragraphs of this Agreement [See Section VIII].

Status (18,19,20,21)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that it is currently tracking the required information on any citations which are issued and on Field Interview Cards; that officers have been trained and issued policy in the class “Understanding Field Interviews” on how to properly conduct stops and contacts with the public; that officers are required by policy and procedure to conclude all pertinent reports and documentation by the end of shift; that supervisors are required to ensure the activities are completed; and that VPPD has a system in place to retain and catalog the documentation for five years.</p> <p>VPPD needs to ensure full implementation of their Fourth Amendment policies and develop a system for documenting activity that complies with all of the requirements of Paragraphs 18-21. We understand that VPPD hopes to meet compliance with these provisions through the acquisition of eFORCE Software.</p>
Next Steps	VPPD must provide documentation establishing that officers are accurately and thoroughly documenting their activity as described in Paragraphs 18-21 by the end of shift, and that the documentation is retained for at least five years.

D. Supervision Regarding Fourth Amendment Activities

- 22. Absent exceptional circumstances, within 12 hours of receiving a report documenting a stop, citation, or arrest, a supervisor will conduct a review to determine whether the activity was based upon legally sufficient grounds and complied with VPPD policy, and document the results of their review in writing.
- 23. If a VPPD officer arrests a person and no warrant was previously issued, the supervisor will review the officer’s probable cause affidavit immediately and prior to the person being booked into the jail, consistent with Paragraph 38 of this Agreement. If the activity resulted from an insufficient factual

basis, such as a lack of reasonable suspicion or probable cause, the supervisor will immediately release the person and take additional remedial measures, as appropriate. The supervisor will document the review in a report.

Status (22,23)	Non-Compliance
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that supervisors are required to review and sign off on any activities which occur during a shift; that officers received both policy and training on “Understanding Arrests” about duty expectations with regard to non-warranted arrests; that supervisors and officers are trained on the supervisor’s responsibilities and duty to ensure that proper procedures have been followed when a person is arrested without a warrant; that the supervisor is required by policy to release detained subjects where probable cause does not exist; and that the supervisor is required to document the officer’s activity and submit the officer for retraining if necessary.</p> <p>The probable cause affidavits that we reviewed suggest that supervisors are not providing appropriate approvals. A “supervisor” should be a sworn member who is responsible for actually supervising a subordinate officer and capable of reviewing reports for legal sufficiency. A jailer is not a patrol officer supervisor, yet VPPD allows jailers to sign affidavits in the space designated for supervisor signature on probable cause affidavits.</p> <p>In the limited documentation provided, we saw no evidence of supervisory review of documentation within 12 hours.</p>
Next Steps	VPPD must provide evidence that supervisors are reviewing documentation for legal sufficiency and taking action to correct deficiencies.

24. Supervisors will take appropriate action to address all violations or deficiencies in law enforcement activities or the documentation thereof, including recommending non-disciplinary corrective action for the involved officer, and/or referring the incident for administrative or criminal investigation.
25. Supervisors will track each violation or deficiency and the corrective action taken to identify officers needing repeated corrective action. Supervisors will ensure that any deficiencies, or patterns of deficiencies, are considered in officers’ performance evaluations, as appropriate.
26. VPPD will take into account the quality and completeness of supervisory reviews in the supervisor’s own performance evaluations and will take appropriate corrective or disciplinary actions against supervisors who fail to conduct complete, thorough, and accurate reviews of officers’ law enforcement activity.

Status (24,25, 26)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	VPPD reports that supervisors receive policy and training on their responsibilities to address officers’ conduct deficiencies and policy violations through appropriate corrective action but notes that there are not sufficient personnel to maintain and ensure consistency in the supervisory rank.

	As noted above, supervisors do not appear to be reviewing documentation for legal sufficiency. Supervisors need to track any identified deficiencies, and the quality of supervisory reviews must be considered in their performance evaluations.
Next Steps	VPPD must provide evidence that supervisors are complying with paragraphs 24, 25, and 26.

III. CRIMINAL INVESTIGATIONS

A. Interrogations

27. The City will ensure that all interrogations conducted by VPPD employees occur in accordance with the Constitution and laws of the United States.
28. Prior to conducting a custodial interrogation, officers will provide a clear and understandable notification of *Miranda* rights to the person. Prior to any custodial interrogation, officers will have the person read a written waiver of rights form and provide a signature indicating whether the person will waive the rights.
29. If a person who has been notified of their *Miranda* rights indicates that they wish to speak to an attorney or does not wish to answer questions, officers will immediately stop the interrogation and will not ask any further questions.
30. If the person does not appear able to understand the rights or waiver form, or declines to waive the *Miranda* rights, officers will immediately stop the interrogation and not ask any further questions. Officers will not make threats, promises, inducements, or take any other coercive actions in order to obtain a waiver of *Miranda* rights.
31. If a person who has declined to waive their rights informs an officer of their own volition that they have changed their mind and wish to participate in an interrogation, officers may restart the process described in Paragraph 28.

Status (27,28,29,30,31)	Partial Compliance
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that officers have received policy and training on Constitutional Law, including the class “Understanding the Fourth Amendment” and “Understanding <i>Miranda</i> Rights,” which instructed them on the requirements of the Fourth Amendment and <i>Miranda</i> requirements; and that officers are required and trained to stop questioning when a suspect invokes the right to speak to an attorney.</p> <p>In our review of BWC video, officers appeared to be properly advising individuals of their <i>Miranda</i> rights, appropriately using forms, and abstaining from interrogation once rights are invoked.</p>
Next Steps	VPPD must provide further documentation of compliance with Paragraphs 27-31 by providing DOJ access to a sample of case files, additional interrogation recordings, and associated <i>Miranda</i> forms.

B. Documentation of Criminal Investigations

32. VPPD will develop systems to ensure that all interrogations are documented, including the date, time, location, and duration of the interrogation, and all persons present for the interrogation.

Status (32)	Beginning Compliance
2020 Status	Beginning Compliance
Assessment	VPPD reports that all officers and supervisors are trained to document all information regarding <i>Miranda</i> rights in writing and with audio/visual recordings. During the last compliance period, VPPD provided proof that it maintained an Interrogations List that includes the information required by this provision. We have not received documentation for this compliance period.
Next Steps	VPPD must provide more recent proof of their system for documenting interrogations.

33. VPPD will continue to record all interrogations on audio or video and ensure that all recordings are preserved in the investigative file.

Status (33)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	VPPD reports that all officers and supervisors are trained to document all information regarding <i>Miranda</i> rights in writing and with audio/visual recordings, and that all records are maintained for a minimum of five years. VPPD has not provided documentation to support its compliance with this provision.
Next Steps	VPPD must provide proof that all audio and video recordings of interrogations are being preserved.

34. VPPD will ensure that an investigative file is created and maintained for all criminal investigations, to contain all reports and documentation associated with the investigation, including all recordings of interrogations. Investigative files will be maintained in good order, preserved in a secure manner, and effectively organized to provide for accessibility by VPPD employees.

Status (34)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	VPPD reports that all officers and supervisors are trained to document all information regarding <i>Miranda</i> rights in writing and with audio/visual recordings. VPPD has not provided documentation to support its compliance with this provision.
Next Steps	VPPD must provide proof that investigative files are maintained in accordance with this provision.

35. VPPD will ensure that every investigative file contains a unique tracking number that may be cross-referenced with other associated files and documents.

36. VPPD will ensure that a copy of all documentation related to investigatory stops, interrogations, citations, arrests, interrogations, and *Miranda* waivers, and all documents related to court proceedings, including all affidavits, warrants, reports, and supervisory reviews, are included in the corresponding investigative file(s).

Status (35,36)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	VPPD reports that office personnel are required to properly maintain case numbered files in a secure place; that all citations that are issued are documented by officers and kept in files; that all felony cases are stored in a felony file section which includes all documentation, complaint sheets, offense reports, affidavits, warrants and all other information pertinent to an investigation; and that investigatory stops are documented on Field Interview Cards. VPPD has not provided documentation to support its compliance with this provision.
Next Steps	VPPD must provide proof that investigative files are maintained in accordance with these provisions.

C. Community Engagement

37. Within 120 days of the Effective Date, VPPD will develop a public education effort to notify the public about changes to VPPD’s practices, including that it will no longer conduct investigative holds. As part of this effort, VPPD will also educate the public on VPPD’s practices and the constitutional limits on VPPD’s ability to stop, search, and arrest members of the Ville Platte community.

Status (37)	Partial Compliance
2020 Status	Non-Compliance
Assessment	VPPD reports that VPPD initiated a public service program in which it contacted local media sources (Ville Platte Gazette, KVPI Radio) to inform the public of the change of practices. VPPD provided public notice of changes to its practices but has not educated the public on the constitutional limits of its authority.
Next Steps	VPPD must educate the public on the constitutional limits on VPPD’s ability to stop, search, and arrest members of the community.

IV. JAIL OPERATIONS

38. Prior to booking any person into the VPPD jail, VPPD employees will ensure that either a valid arrest warrant was issued prior to arrest, or an affidavit of probable cause has been completed by the arresting officer and approved by a supervisor.
39. Absent exigent circumstances, VPPD will not conduct a strip search or book the person into the jail before an affidavit of probable cause is entered in the case file or an arrest warrant is issued.

Status (38,39)	Non-Compliance
2020 Status	Non-Compliance

Assessment	<p>VPPD reports that officers and supervisors are issued policy and trained in the class “Understanding Arrests” to only arrest and/or detain subjects where probable cause exist; and that officers, jailers and supervisors received policy and training in the class “Understanding Arrests” on the proper procedures and approvals for strip searches.</p> <p>VPPD has not provided documentation to support its compliance with these provisions.</p> <p>As noted above, jailer signatures cannot substitute for supervisor approval on affidavits. In addition, VPPD has no system in place to ensure that no arrestees are detained on outdated warrants.</p>
Next Steps	<p>VPPD must provide proof that an affidavit of probable cause has been completed by the arresting officer and approved by a supervisor prior to booking and/or strip search pursuant to policy.</p>

- 40. Strip searches may only be conducted pursuant to a standardized protocol for persons admitted to jail.
- 41. No body cavity search, other than the mouth, may be performed without a warrant, unless the search is part of a standardized protocol for persons admitted to jail and a body cavity search is determined to be necessary for security of the facility. Unless exigent circumstances exist, all body cavity searches must be conducted by qualified, trained personnel of the same gender as the individual being searched, or if such personnel are unavailable, by a trained medical professional. Opposite-gender supervisors and staff or other non-medical personnel will not be permitted to observe the search.

Status (40,41)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that no strip search is conducted unless there is a signed warrant and supervisory oversight and that in accordance with policy and training all requests for strip searches are to be approved by a supervisor pursuant to a signed warrant. In addition, it is the policy of VPPD all approved cavity searches will be performed by an officer of the same gender.</p> <p>VPPD has not provided documentation to support its compliance with these provisions.</p>
Next Steps	<p>VPPD must provide proof that strip or body cavity searches comply with Paragraphs 40 and 41.</p>

- 42. For each arrested person detained in the VPPD jail, VPPD will maintain a case file that contains copies of the warrant or affidavit of probable cause with documentation of supervisor approval and all other documentation related to the person’s incarceration, such as booking forms, transportation logs, hygiene and bedding allocation, health and screening forms, and classification. The case file will be assigned a unique identifying number that will allow it to be cross-referenced with the investigative file and other relevant files. VPPD will maintain case files for a period of no less than 10 years from when they are released from the VPPD jail.

Status (42)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that office personnel are required to properly maintain case numbered files in a secure place and retain those records for a minimum of five years. All felony cases are stored in a felony file section which includes all documentation, complaint sheets, offense reports, affidavits, warrants and all other information pertinent to an investigation.</p> <p>VPPD has not provided documentation to confirm the contents of case files, that it assigns unique identifiers to case files, that files are stored securely, or that it has a system of classification.</p>
Next Steps	VPPD must develop a system with unique identifiers satisfying the other requirements of Paragraph 42 over the next reporting period.

43. Within 30 days of the Effective Date, VPPD will create an electronic list or spreadsheet of all persons incarcerated in the VPPD jail. The list will be updated every time a person is booked into or released from the jail. The list will contain, at a minimum, the following information:
- a. Name;
 - b. Date of birth;
 - c. Sex;
 - d. Race and/or ethnicity;
 - e. Case status (e.g. pre-trial, post-conviction, parole revocation, etc.);
 - f. Offense(s) for which the person is detained, along with applicable statute or code provision;
 - g. Date and time of booking;
 - h. Amount of bond, if any;
 - i. Next court date; and
 - j. Release date, if known.
44. VPPD’s list of incarcerated persons will be maintained so that information on incarcerated persons, including the information listed above, may be reviewed and audited for a period of no less than 10 years from the date the person is released from VPPD jail.

Status (43,44)	Pending/Insufficient Information
2020 Status	Beginning Compliance
Assessment	<p>VPPD reports that a list of incarcerated persons is provided to both the City Judge and the Parish Judges on a weekly basis. This list includes each incarcerated person’s identifying characteristics, charges for which they are being held, bond amount, date and time of booking and court date. The records for the jail incarcerations are in warden’s office and are available for review.</p> <p>In our previous assessment, we were able to review physical documents and detailed electronic lists of incarcerated persons. For this assessment, VPPD provided daily summary jail lists but did not provide the more detailed electronic lists or other documentation to support its compliance with these provisions.</p>

Next Steps	VPPD must provide documentation of its compliance with Paragraphs 43 and 44.
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45. VPPD will ensure that, at least once per day, a supervisory employee of VPPD reviews the list of incarcerated persons to ensure that each person’s incarceration is consistent with VPPD policy and the Constitution and that the database contains all information required by VPPD policy and this Agreement. The supervisory employee also will review the case file of each person arrested that day to ensure that documentation of probable cause exists.
46. If, at any time, a VPPD employee becomes aware that information required to be kept on the list of incarcerated persons is missing, that a person is improperly detained, or that the case file of an arrested person does not contain a warrant or affidavit of probable cause, the employee will immediately notify the Chief of Police or the Chief’s designee. The Chief of Police or designee will take immediate and appropriate action, up to and including immediate release of the incarcerated person. VPPD will ensure that the notification and responsive action is made part of the case file.

Status (45,46)	Non-Compliance
2020 Status	Non-Compliance
Assessment	<p>VPPD reports that the jail list is reviewed every morning for accuracy and consistency. The reviewing supervisor also confirms that the necessary documentations of probable are present and correct. The policy changes that went into effect in February 2021 have significantly reduced the possibility of illegal incarceration. If the supervisor discovers any violation of probable cause of arrest, they are instructed to immediately contact the Chief of Police and advise him of the situation. The Chief of Police or his designee is then responsible to investigate the violation and then decide a course of action. Compliance could include immediate release of the detainee as well as disciplinary action to employees who are in violation of policy and training.</p> <p>As noted above, many affidavits of probable cause are not approved by a supervisor.</p> <p>VPPD has not provided documentation to support its compliance with these provisions.</p>
Next Steps	VPPD must provide documentation of compliance with Paragraphs 45 and 46. VPPD also must address the issue of supervisory approval. Unless the jailer in question is a sworn member with supervisory authority over the involved officer, the jailer’s approval does not comply with the requirements of this Agreement.

47. Once per week, VPPD will provide the list of incarcerated persons and related information, including bond status and amount, to the City and Parish judges for review.

Status (47)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	VPPD reports that it provides the City Court and City Marshal with a list of incarcerated persons and related information on a daily basis. VPPD has not provided documentation to support its compliance with this provision.

Next Steps	VPPD must provide documentation showing that these lists are transmitted to the City and Parish judges each week.
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48. VPPD will ensure that all incarcerated persons in the VPPD jail are provided with reasonable access to a telephone, or other means to contact friends, family members and/or counsel. Efforts to procure a statement or other information from the person will not be considered a legitimate reason to restrict access to a telephone or other means of contact.

Status (48)	Pending/Insufficient Information
2020 Status	Beginning Compliance
Assessment	<p>VPPD has provided DOJ with a sample telephone log noting inmate calls, but additional documentation is necessary to confirm compliance with this provision. VPPD states that each inmate is allowed one free phone call upon admission to the facility and one free phone call every Wednesday while they are incarcerated.</p> <p>VPPD reports that once an arrestee has been brought into the jail and booked, they are then afforded the opportunity of a phone call. The arrestee is allowed to use the phone until such time he contacts a family member, friend or counsel.</p> <p>VPPD has not yet provided documentation (such as telephone logs and detailed electronic inmate lists) to confirm that incarcerated persons are given reasonable access to a telephone and that efforts to procure a statement are not offered as a reason to deny access.</p>
Next Steps	VPPD must provide documentation showing that incarcerated persons are provided with reasonable access to a telephone or other communication means to document compliance with Paragraph 48.

49. VPPD will ensure that all incarcerated persons in the VPPD jail are provided with access to appropriate sanitation supplies, including toilet paper, prescription medications, and menstrual supplies.

Status (49)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	<p>VPPD reports that incarcerated persons are also provided access to medical treatment and sanitation supplies daily and that all prescription medication is to be issued in accordance with direction.</p> <p>VPPD has not yet provided documentation to confirm that incarcerated persons are provided appropriate hygienic and medical materials.</p>
Next Steps	VPPD must provide documentation showing that incarcerated persons are provided access to appropriate hygienic and medical materials.

V. POLICIES

50. Within 365 days of the Effective Date, VPPD will ensure that its policies incorporate the requirements of this Agreement, and that the policies related to this Agreement comply with applicable law and are consistent with best practices. VPPD policies will be plainly written, logically

organized, use clearly defined terms, and be sufficiently instructive to effectively guide employees’ conduct. To the extent that existing policies meet the requirements of this Agreement, they do not need to be revised. If policies do not yet exist, VPPD will work with DOJ to identify model policies that may be adapted to fit the needs of VPPD and the terms of this Agreement. VPPD will implement all policies required by this Agreement.

51. The City will submit all policies related to this Agreement, as well as any proposed policy revisions, to DOJ for review and approval prior to publication and implementation, which approval will not be unreasonably withheld. DOJ will approve policies based upon consistency with this Agreement, best practices, and applicable law.
52. The Parties will act with reasonable diligence to timely draft and respond to proposed policies.
53. VPPD will maintain a complete, up-to-date, indexed policy manual. Employees will have ready access to hard or electronic copies of the manual. VPPD will promptly incorporate policy revisions or updates in their manuals.
54. The City will make all VPPD policies publicly available on its websites, except for policies that are reasonably deemed sensitive, such as procedures regarding undercover officers or operations.

Status (50,51,52,53,54)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	VPPD made significant progress in finalizing and training on Fourth Amendment policies during this reporting period. VPPD also finalized a use of force policy but still has to complete a supervisory review policy for use of force investigations. VPPD also completed materials for a Field Training Program that is currently being implemented. VPPD is still in the process of creating a comprehensive policy manual and the updated policies are not yet publicly available on a website.
Next Steps	VPPD will develop additional policies in the next review period.

VI. TRAINING

55. VPPD will ensure that its officers receive basic training and certification prior to commencing work, as well as ongoing in-service and remedial training in order to ensure that officers are aware of their Fourth Amendment obligations and all policies incorporating the terms of this Agreement.
56. No VPPD employee, whether full-time or part-time, will be allowed to perform the full duties of a law enforcement officer until they have successfully completed all requirements for POST certification under state law, including training requirements. Duties performed by employees without POST certification may include non-law enforcement functions, such as administrative work or augmenting neighborhood policing efforts, that the employee has been trained to perform. Uncertified officers may not interact with members of the community while armed with a service weapon, respond to calls for service, or perform or issue any stop, search, interrogation, citation, or arrest.
57. In addition to POST-required training, prior to commencing service involving the full duties of a law enforcement officer, all VPPD employees will receive at least eight (8) hours of VPPD-specific supplemental training on VPPD policies. VPPD will ensure that officers understand the requirements of the Fourth Amendment, including prohibitions on “investigative holds.”

58. Within 365 days of the Effective Date, VPPD will ensure that its field training program incorporates best practices for police training officer programs in similarly-sized agencies. VPPD will ensure that there are sufficient and appropriate policies governing the operation of the field training program.
59. VPPD, will train all lateral police hires, within 10 days of joining the VPPD, on VPPD policy and ensure that they understand the requirements of the Fourth Amendment, including prohibitions on “investigative holds.”

Status (55,56,57,58,59)	Partial Compliance
2020 Status	Non-Compliance
Assessment	<p>VPPD made significant progress on training during this reporting period by developing and delivering a number of trainings covering Fourth Amendment policies. These included trainings on “Voluntary Contacts, Field Interviews, Investigative Stops and Weapons Pat Downs;” “Understanding Arrests;” “Vehicle Stops;” “Contacts, Interviews and Investigative Stops;” “<i>Miranda</i>,” and “Fair and Impartial Policing.” We audited pilots of these trainings and provided feedback during the development process. We also approved materials for the Field Training Program but the training has not been implemented yet. We have not reviewed any materials confirming that new hires are trained within ten days of joining VPPD.</p> <p>VPPD reports that lesson plans and presentations have been developed and approved for the Field Training Program and Use of Force policy but that staffing shortages have caused difficulties in scheduling delivery of these trainings.</p> <p>VPPD also reports that as of February 2021, no non-POST certified VPPD employee has been allowed to work a patrol shift. The change in policy requires VPPD officers to be certified by the Peace Officers Standards and Testing Board of Louisiana before being put into a roll as a patrol officer. In addition, the Chief of Police has mandated that all officers, including new hires, receive training in all of the areas covered by the Fourth Amendment policies created as a result of this Agreement.</p>
Next Steps	VPPD must continue to deliver all required trainings to personnel, including implementation of the new Field Training Program and use of force training, and provide documentation that these trainings have occurred.

60. VPPD will ensure its officers receive at least eight (8) hours of annual in-service training.

Status (60)	Substantial Compliance
2020 Status	Non-Compliance
Assessment	VPPD made significant progress on training during this reporting period by developing and delivering a number of trainings covering Fourth Amendment policies. These included trainings on “Voluntary Contacts, Field Interviews, Investigative Stops and Weapons Pat Downs;” “Understanding Arrests;” “Vehicle Stops;” “Contacts, Interviews and Investigative Stops;” “ <i>Miranda</i> ,” and “Fair and Impartial Policing.”

	We audited pilots of these trainings and provided feedback during the development process. These trainings combined for a total of more than eight hours of in-service training.
Next Steps	VPPD must continue to deliver all required trainings to personnel, including implementation of the new Field Training Program and use of force training, and provide documentation that these trainings have occurred.

VII. ACCOUNTABILITY AND OVERSIGHT

- 61. Within 180 days of the Effective Date, VPPD will develop and implement policies to ensure that all allegations of misconduct, whether internally or externally generated, are courteously received by a VPPD supervisor, centrally documented and tracked, and fully and fairly investigated as required by best practices.
- 62. Where allegations of misconduct are sustained, VPPD will ensure that discipline is imposed fairly and consistently and that officers and complainants are provided information as appropriate and consistent with best practices.

Status (61,62)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	VPPD reports that it has developed and implemented policy which requires allegations of misconduct to be submitted to the Chief of Police and then investigated by a three-member board. Once the board has completed the investigation, the findings are turned over to the Chief of Police. Once an allegation is found to be substantiated, the Chief of Police is responsible for issuing disciplinary action ranging from a letter of reprimand to termination of employment, depending on nature of the misconduct. We requested but did not receive materials concerning complaints and internal investigations.
Next Steps	VPPD must provide documentation showing that all allegations of misconduct are courteously received, centrally documented and tracked, and fully and fairly investigated as required by best practices, and that appropriate interventions are fairly and consistently applied for sustained violations.

- 63. VPPD currently equips its officers with body-worn cameras. If VPPD continues to equip its officers with body-worn cameras, it will utilize this technology consistent with best practices, and to ensure officers are complying with this Agreement.

Status (63)	Non-Compliance
2020 Status	Non-Compliance
Assessment	VPPD reports that all officers are issued a body-worn camera and are required to use them while on duty. VPPD policy requires officers to activate the BWC once a call for service is received and only deactivate it when the call is completed and officer has left the area.

	<p>We received no documentation showing that VPPD audits BWC footage to ensure that officers are complying with this Agreement and using the cameras consistent with best practices. As with the last assessment, it appears that officers do not consistently activate cameras to record law enforcement activity. Of the 214 videos that we reviewed covering approximately 150 interactions, only one video involve an officer-initiated traffic stop. Officers sometimes appeared in the videos of other officers but did not seem to have recorded their own footage of the same event.</p>
<p>Next Steps</p>	<p>VPPD must ensure that officers are trained and supervised in the appropriate use of body worn cameras. We will continue to evaluate the department’s progress in its implementation of this tool.</p>

VIII. DATA COLLECTION AND REPORTING

- 64. Elimination of the harmful and unlawful practice of arrests for investigative purposes without probable cause requires ongoing and active collection of data, analysis, and periodic review to ensure that the practice has been eliminated and does not recur. VPPD will collect and maintain all data and records necessary to review VPPD’s compliance with this Agreement, and to ensure transparency and wide public access to information related to the lawfulness of VPPD’s field interviews, investigatory stops, interrogations, and citations as permitted by law.
- 65. Within 270 days of the Effective Date, VPPD will develop a data collection system that will provide for the review of officer investigatory stops, citations, arrests, and interrogations to ensure that officers comply with constitutional standards and this Agreement.
- 66. VPPD will regularly analyze the data collected to ensure that all stops, arrests, and interrogations are lawfully conducted and meet constitutional standards, and to inform necessary changes to policies and training.
- 67. Within 60 days of the Effective Date, VPPD will develop a system to track interrogations conducted by VPPD employees. The system will include documentation of the person interrogated, the date and time of the interrogation, the length of the interrogation, the officer(s) present, and the corresponding investigative file number.
- 68. VPPD’s data collection system will require officers to document the following for investigatory stops and arrests:
 - a. The identity of the person(s), if known;
 - b. The officer’s name and badge number;
 - c. The date, time, and location of the stop;
 - d. The approximate duration of the stop;
 - e. If a non-vehicle stop (e.g., pedestrian or bicycle), the number of persons stopped;
 - f. The reason for the stop, including a specific, individualized description of the facts creating reasonable suspicion;
 - g. If a vehicle stop, whether the driver or any passenger was required to exit the vehicle, and reason;
 - h. Whether any person was asked to consent to a search and whether such consent was given;
 - i. Whether officers conducted a weapons frisk during the stop and, if so, the specific and articulable facts establishing reasonable suspicion that the person was armed and dangerous;
 - j. Whether officers conducted a search based on probable cause and, if so, the facts establishing probable cause to conduct a search;

- k. Whether any weapon, contraband or evidence was seized from any person, and nature of the weapon, contraband or evidence;
- l. The outcome of the stop, including whether officers issued a civil or criminal citation, made an arrest, or issued a warning; and
- m. A unique identifying report number, allowing the documentation to be matched with the investigative file and documentation of any criminal or civil citations or arrests that result from the stop.

Status (64,65,66,67,68)	Pending/Insufficient Information
2020 Status	Non-Compliance
Assessment	<p>For Paragraph 64, VPPD reports that it has issued policies and delivered trainings that prohibit unlawful stops and arrests. All contacts are to be recorded on BWC and available for review.</p> <p>For Paragraphs 65, 66, and 68, VPPD reports that it currently tracks stops with Field Interview Cards and Citations and that it has developed a policy to review written reports, field interview cards and citations but staffing limitations hinder the total implementation of this policy.</p> <p>For Paragraph 67, VPPD reports that each interrogation is audio recorded. Prior to interrogation, each subject is given the <i>Miranda</i> Rights and required to sign a waiver of rights. All pertinent information is documents, including name of subject, date, time and location and length of the interrogation. VPPD also reports that it documents the investigative file number and which officers are present during the interrogation.</p> <p>We did not receive sufficient documentation to fully assess these provisions.</p>
Next Steps	VPPD must provide the requested documented in order for us to assess compliance with Paragraphs 64-68.

- 69. The City will produce an annual report describing VPPD activity and will make that report publicly available on the City’s website and also upon request. The City will not be required to make public information that must remain confidential to protect public safety. The annual report will further provide information regarding the City’s implementation and status of this Agreement.
- 70. Subject to applicable law, the annual report will address:
 - a. Stop and arrest data and any analysis of that data that was undertaken;
 - b. Data related to complaints of improper stops, arrests, or interrogations, including but not limited to the number of misconduct complaints made and investigated, the outcome of the investigations, and the mode of resolution, as well as analysis of that data to identify trends; and
 - c. Additional topics as deemed appropriate by the City in its discretion to promote transparency and identify the accomplishments, actions, and continuing needs of the City.

Status (69,70)	Non-Compliance
2020 Status	Non-Compliance
Assessment	The City and VPPD have not developed annual reports to provide any statistical data about law enforcement activity or misconduct complaints. Chief Lartigue’s monthly reports to the City Council typically focus on crime statistics and do not address the requirements of Paragraphs 69 and 70. VPPD is obligated to provide the community with a minimal level of transparency by publishing annual reports, status reports and outcome assessments on a regular basis.
Next Steps	The City and VPPD must draft and publicly post an annual report that provides statistical data about law enforcement activity and misconduct complaints, among other requirements of Paragraphs 69 and 70.

71. Within six months of the Effective Date, the City will publicly post a status report. This report will delineate the steps taken by the City during the reporting period to implement this Agreement, the City’s assessment of the status of its progress, and plans to correct any problems. Following this initial status report, VPPD will file a status report every six months thereafter while this Agreement is in effect, in which it will additionally respond to any concerns raised by the DOJ or identified in the previous report.

Status (71)	Beginning Compliance
2020 Status	Non-Compliance
Assessment	The City and VPPD have not publicly posted any report about the status of their implementation efforts or their responses to concerns we have raised. VPPD gets partial credit here for developing a self-assessment to update us on compliance efforts. The self-assessment can serve as a basis for drafting a status report.
Next Steps	The City and VPPD must draft and publicly post a status report that delineates steps taken towards compliance and addresses any concerns we raised in this assessment.

IX. OUTCOME ASSESSMENTS

72. The City will conduct Outcome Assessments on an annual basis, as specified by this section of the Agreement, to measure whether VPPD’s revised practices and procedures are achieving the purposes of this Agreement and are having an overall beneficial effect on policing in Ville Platte. Outcome Assessments should be conducted in a reliable, cost-effective manner based on accepted and trustworthy means and methods. Any statistical analysis used as part of an Outcome Assessment must conform to statistical techniques that are accepted in the relevant field. The City will provide DOJ with the underlying data, analysis, methods, and sources relied upon in the Assessments.

73. The City will develop a plan and protocol within 270 days of the Effective Date to conduct these assessments. The plan and protocol will be subject to the approval of DOJ, which approval shall not be unreasonably withheld.

74. The outcome assessments will include analysis:

- a. To determine whether VPPD is conducting stops consistent with the Constitution and this Agreement, analysis of the rate at which stops uncover criminal activity;

- b. To determine whether arrests are consistent with the Constitution and this Agreement, analysis of the rate at which arrests are found to lack probable cause or otherwise violate the Fourth Amendment, the number of probable cause affidavits rejected by supervisors or the criminal courts, and a qualitative analysis of the sufficiency of probable cause affidavits and other documentation supporting arrests;
- c. To determine whether VPPD officers are providing adequate *Miranda* warnings and conducting interrogations consistent with the Constitution and this Agreement, an analysis of data related to the length and frequency of interrogations and documentation of *Miranda* warnings and waivers, and an analysis of the rate at which motions to exclude confessions are granted by the criminal courts;
- d. To assess whether VPPD officers receive sufficient training on the Fourth Amendment and proper interrogation techniques, an analysis of the rate of completed trainings, performance evaluations from field trainings, and qualitative analysis of the content, structure, adequacy, and efficacy of trainings provided under this Agreement; and
- e. To determine that all detentions are appropriately documented and supported by probable cause, audit data of all investigative files and jail detention files to ensure there is a file on each person detained by VPPD and that files contain adequate documentation in support of the detention.

75. The City will include the results of all outcome assessments in its status reports and in its annual report published pursuant to Paragraph 69, above.

Status (72,73,74,75)	Non-Compliance
2020 Status	Pending/Insufficient Information
Assessment	VPPD has not developed a plan to conduct any annual outcome assessments. VPPD’s self-assessment does not contain the analyses required by Paragraph 74 and therefore cannot substitute for an outcome assessment.
Next Steps	VPPD must develop a plan for conducting annual outcome assessments. VPPD should consult with us about possible ways to conduct the analyses in these paragraphs.